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Applicant has amended claim 1 and canceled claim 4 without prejudice. Applicant respectfully submits that these amendments to the claims are supported by the application as originally filed. In addition, Applicant respectfully submits that since claim 1 is now a combination of claims 1 and 4 and claim 4 was originally dependent upon claim 1, these amendments do not raise any new issues which would require further consideration and/or search. Accordingly, the Final Office Action will be discussed in terms of the claims as amended.

The Examiner has rejected claims 1-2 and 4-6 under 35 USC 103 as being obvious over Kaspar et al. in view of Yamauchi, stating that Kaspar et al. teaches a sock 10 comprising a sole covering portion and a foot top covering portion and provided on a surface of the sock is a plurality of particle-form projections made out of an elastic composition material and further teaches that the elastic composition material would be mixed with a magnetic substance, but fails to teach that the projections would be provided on the inside surface of the sock; Yamauchi teaches projections formed on the interior surface of a sock sole and further teaches microbicial and deodorant particles mixed with a resin binder to produce projections; and it would have been obvious to one of ordinary skill in the art to modify Kaspar et al. in view of the teachings of Yamauchi.

In reply thereto, Applicant has carefully reviewed Kaspar et al. and respectfully submits that as is admitted by the Examiner, the particles are provided on the outside of the sock. In addition, Applicant respectfully submits that these particles are provided on the outside of the sock in order to provide a non-slip garment. Therefore, Applicant respectfully submits that one of ordinary skill in the art would not consider modifying Kaspar et al. to provide the particles on the inside of the socks since this would eliminate the purpose and function of Kaspar et al.

Applicant has also carefully reviewed Yamauchi and respectfully submits that while it may teach a sock having an inner sole portion with a multiplicity of resinous spots having microbicial and deodorant particles mixed therein, Applicant respectfully submits that Yamauchi suggests that all of the dots or projections would include the microbicial and deodorant particles mixed into the resin binder and when combined with Kaspar et al. would suggest that all of the elastic projections would include the magnetic substance, microbicial particles and deodorant particles all mixed together into each projection. In contrast thereto, Applicant's invention as claimed by claim 1 requires that there be three different kinds of

particle-form projections. These particle-form projections would be the magnetic particle-form projections comprising mainly a magnetic substance mixed with the elastic composition material, microbicidal particle-form projections comprising microbicidal substance mixed with the elastic composition and deodorant particle-form projections comprising a deodorant substance mixed with the elastic composition material. Applicant respectfully submits that neither Kaspar et al. nor Yamauchi suggests such a construction.

In view of the above, therefore, Applicant respectfully submits that not only is Applicant's invention not the combination suggested by the Examiner, but also the combination suggested by the Examiner would not be suggested to one of ordinary skill in the art. Accordingly, Applicant respectfully submits that claims 1, 2 and 5-6 are not obvious over Kaspar et al. in view of Yamauchi.


Applicant further respectfully and retroactively requests a two-month extension of time to respond to the Final Office Action. Please charge Deposit Account No. 11-1445 in the sum of \$225.00 as the fee.

In view of the above, therefore, it is respectfully requested that this Amendment be entered, favorably considered and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Amendment or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

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H. Henry Koda

Name


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